SEVENTEENTH ANNUAL REPORT

1983-84

ONTARIO LAW REFORM COMMISSION

Ministry of the
Attorney
General

85-0380/

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The Ontario Law Reform Commission was established by section 1 of the *Ontario Law Reform Commission Act*. Section 2(1) of the Act states that it is the function of the Commission to inquire into and consider any matter relating to (a) reform of the law having regard to the statute law, the common law and judicial decisions; (b) the administration of justice; (c) judicial and quasi-judicial procedures under any Act; and (d) any subject referred to it by the Attorney General. The Commissioners are:

DEREK MENDES DA COSTA, Q.C., LL.M., S.J.D., LL.D., *Chairman*

H. ALLAN LEAL, O.C., Q.C., LL.M., LL.D., D.C.L., *Vice Chairman*

HONOURABLE RICHARD A. BELL, P.C., Q.C.

WILLIAM R. POOLE, Q.C.

BARRY A. PERCIVAL, Q.C.

M. Patricia Richardson, M.A., LL.B., is Counsel to the Commission. The Secretary of the Commission is Miss A. F. Chute, and its offices are located on the Fifteenth Floor at 18 King Street East, Toronto, Ontario, Canada M5C 1C5.

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Ontario
Law Reform
Commission

To The Honourable R. Roy McMurtry, Q.C.
Attorney General for Ontario

Dear Mr. Attorney:

We have the honour to present the Seventeenth Annual Report of the Ontario Law Reform Commission, for the period April 1, 1983 to March 31, 1984.

INTRODUCTION

This Report embraces the work of the Ontario Law Reform Commission during the period April 1, 1983 to March 31, 1984. It was a year of intense activity over the broad spectrum of its programme and a year of no small measure of fulfilment.

At the close of the year, the Commission submitted to the Attorney General a major *Report on the Law of Trusts*, including a proposed Draft Bill to revise the *Trustee Act*.

With the submission of this Report, the Commission completes another substantial portion of its initial undertaking to review the whole of the law of property in this jurisdiction. The review of the law of trusts was begun some years ago, but circumstances from time to time necessitated that work on the project be interrupted to enable our resources to be applied to other urgent matters. It is with a sense of satisfaction that time and circumstances have now allowed us to bring this important project to fruition.

Whilst work continues apace on our remaining projects, we continue to solicit suggestions for additions to our future programme. In this respect, the Commission appreciates suggestions made in the past by members of the judiciary, the legal profession and the general public. We are encouraged by this manifestation of interest in our work and wish to extend our thanks to all those who have assisted us in this way.

It is with great pleasure that the Commission records that, on December 24, 1983, our Vice Chairman, H. Allan Leal, Q.C., LL.D., D.C.L., was appointed an Officer of the Order of Canada.

THE PROGRAMME: REFERRED MATTERS

Section 2(1)*(d)* of the *Ontario Law Reform Commission Act* requires the Commission to inquire into and to consider any matter relating to any subject referred to it by the Attorney General. No new matters were referred to the Commission during the period covered by this Report. During the year, work on a prior Reference, the Project on Human Artificial Insemination and Related Matters, continued.

PROJECTS IN PROCESS

Human Artificial Insemination and Related Matters

On November 5, 1982, the Commission received a Reference from the Attorney General to inquire into and consider the legal issues relating to the practice of human artificial insemination, including "surrogate mothering" and transplantation of fertilized ova to a third party. To be included within the scope of the Commission's Report were such topics as: the legal status and legal rights of children conceived artificially, of their biological parents, and of the spouses of each biological parent; the nature and enforceability of agreements relating to artificial conception practices, including agreements respecting custody of a child; and the legal rights and liabilities of health care personnel engaged in artificial conception practices. The full list of topics appears in the Commission's *Sixteenth Annual Report 1982-1983,* at page 8. In dealing with these and other matters, the importance of considering the best interests of the children was particularly emphasized.

In view of the multidisciplinary nature of the project, an Advisory Board, comprising members of the judiciary and of the professions of law, medicine and social work and the disciplines of philosophy and ethics, was appointed to assist the Commission. The Board met on a number of occasions to discuss research papers prepared by the Project Consultant, Professor Bernard M. Dickens of the Faculty of Law, University of Toronto. In addition, Professor Dickens and representatives of the Commission met with artificial insemination and *in vitro* fertilization specialists. Under the auspices of the Commission, a questionnaire was sent to the Ontario practitioners whose names are listed in the Directory of The Canadian Fertility and Andrology Society. An analysis of the responses to this questionnaire is in the course of preparation. Finally, the Commission has conducted an evaluation of the briefs submitted to it in response to announcements published in daily newspapers and the Ontario Reports and circulated to interested persons and groups in the Province.

The Commission has considered several research reports and papers prepared by Professor Dickens and members of the Commission's legal staff. On the basis of this material, the Commission has made tentative decisions concerning recommendations for reform. Work has now commenced on the preparation of the Commission's final Report embodying these proposals.

One facet of this project has been an examination of so-called wrongful life, wrongful birth, wrongful conception or pregnancy, and dissatisfied life actions. Wrongful life actions are those brought by a mentally or physically impaired child, where it is alleged that, but for the wrongful act of the defendant, the child would not have been conceived or, if already conceived, would not have been born alive. A wrongful birth suit is one in which one or both parents make a similar allegation arising from the same circumstances. For example, a physician may negligently fail to diagnose rubella in a woman seeking artificial insemination. Based on the physician's diagnosis, the woman may be inseminated. The result may be a

child born with congenital rubella — a child who, but for the negligence of the physician, would not have been conceived.

Actions described as wrongful conception or wrongful pregnancy arise where a child is born subsequent to a negligently performed sterilization or abortion that has failed. Finally, in a dissatisfied life case, it is alleged that the wrongful conduct of the defendant has resulted in the conception and birth of a medically normal child into conditions of social, psychological, economic or other related disadvantage.

Initially, these actions were viewed from the perspective of the artificial conception technologies. However, it has become apparent that a wider focus is necessary and desirable, since the circumstances giving rise to such actions are not restricted to the use of artificial conception. Accordingly, the Commission has decided to examine the law in this area in a separate project devoted exclusively to wrongful life and other related causes of action.

THE PROGRAMME: PROJECTS INITIATED BY THE COMMISSION

Under its founding statute, the Commission may inquire into and consider any matter relating to reform of the law.

(a) Completed Projects

The Law of Trusts

During the past year, the Commission completed its examination of the law of trusts in Ontario. The *Report on the Law of Trusts,* consisting of two volumes and containing a Draft Bill for a revised *Trustee Act,* was submitted to the Attorney General on March 30, 1984.

The Law of Trusts Project was commenced some years ago as part of the Commission's undertaking to review the whole of the law of property in Ontario. During the early stages of the project, a complete codification of the law of trusts was rejected in favour of the continuation in Ontario of the tradition of enabling and supportive trustee legislation; accordingly, the Report recommends that the revised *Trustee Act* should continue to assist and supplement the judge-made law of trusts and to confer powers on the courts and upon trustees, subject to the contrary intention of the creator of the trust. The existing *Trustee Act* should, however, be modernized and improved in order to bring it into line with contemporary needs and practice, and the revised Act should clarify or amend the law where necessary or advantageous. The revised *Trustee Act* is not intended to apply to business, commercial or investment trusts.

Chapter 2 of the Report deals with the fundamental duties of trustees. It is proposed that trustees' duties of care and impartiality and their duties

with respect to delegation and the avoidance of conflict of interest and duty be clarified and placed in statutory form. For example, with respect to the duty of care, it is recommended that the revised *Trustee Act* should state expressly that, in the discharge of their duties and the exercise of their powers, trustees shall exercise that degree of care, diligence and skill that a person of ordinary prudence would exercise in dealing with the property of another person. It is also recommended that "professional" trustees — that is, trustees who in fact possess or who because of their profession, business or calling ought to possess a particular knowledge or skill relevant to the administration of the trust — should be subject to a higher duty of care than "non-professional" trustees.

The Report also deals extensively with the powers of trustees. The law governing both the judicial and non-judicial appointment and discharge of trustees is reviewed, and an improved mechanism for non-judicial appointment and discharge is recommended. The Commission makes additional recommendations designed to encourage resort to the non-judicial power, as well as recommendations with respect to vesting orders and the protection of third parties dealing with trustees.

With respect to administrative powers, the revised Act bestows upon trustees, except so far as modified or excluded by the trust instrument, an updated and expanded set of administrative powers that are customary in well drawn contemporary trust instruments in Ontario. The Report deals at some length with the power of investment, and recommends that sections 26 and 27 of the existing *Trustee Act,* containing the "legal list" of authorized trustee investments, be repealed. In the Commission's view, trustees should be able to invest in any type of property, subject to the fundamental duty of care proposed for inclusion in the revised Act. Accordingly, trustees, in investing trust property, would be required to exercise that degree of care, diligence and skill that a person of ordinary prudence would exercise in investing the property of another person. In order to give guidance to trustees, the revised Act contains a non-exhaustive list of factors that trustees may wish to consider in exercising the statutory power of investment.

The Report addresses the difficulties encountered by trustees in attempting to allocate receipts and outgoings between income and capital beneficiaries. The revised Act proposed by the Commission contains a number of provisions designed to assist trustees in this respect, including a facultative discretionary trust provision and a facultative percentage trust provision. The Act also imposes upon trustees a duty to act impartially as between income and capital beneficiaries with respect to each item of trust property. Unless the trust instrument expressly states to the contrary, this duty applies to all types of property — personalty and realty — and whether the property is an original or subsequently acquired asset of the trust. The duty of impartiality also applies in respect of all types of disposition — testamentary and *inter vivos* — and whether the property is authorized or unauthorized as a trustee investment.

Dispositive powers of trustees are also canvassed by the Report. Express statutory powers of maintenance and advancement are recom-

mended. In addition, the device of the protective trust is examined. The Report recommends that, while settlors and testators should not be precluded from including provisions for protective trusts in trust instruments, creditors should have a right to apply to the court to reach the interest of the protected beneficiary.

Another matter addressed by the Report is remuneration of trustees and, in particular, the taking of interim compensation. The Report proposes that, subject to several specific recommendations designed to prevent abuse, trustees should be permitted, from time to time during the administration of the trust, to pay to themselves from the assets of the trust such sum as, in their opinion, is fair and reasonable compensation for their work and time spent on the trust during the period of time to which the payment relates.

The Report contains a chapter dealing with contribution and indemnity among trustees. It is recommended that the present law governing contribution and indemnity among trustees be abolished, and that, in its place, the revised *Trustee Act* should authorize the court to order contribution or indemnity among co-trustees in such amount as the court considers just and equitable having regard to the extent of the responsibility of each trustee in breach for the loss caused.

The Report also contains a number of recommendations concerning the variation and termination of trusts. The Commission recommends that the present *Variation of Trusts Act* should be repealed and its provisions incorporated in the revised *Trustee Act,* but in an amended and expanded form. In addition, the Commission recommends that the rule known as the rule in *Saunders v. Vautier* should be severely limited in its field of operation. Subject to certain exceptions, a trust could not be varied or terminated before the natural ending of the trust without the approval of the court. However, the proposed general prohibition against variation and premature termination of trusts without the court's consent would not apply, *inter alia,* to resulting or constructive trusts, or, as indicated previously, to business, commercial or investment trusts, or where a trust instrument contains a power whereby one or more persons who are able and willing to act may vary or terminate the trust or any of its terms.

A final chapter of the Report deals with the variation and reorganization of charitable trusts, and the salvaging of imperfect trust provisions.

(b) Projects In Process

(i) Administration of Estates of Deceased Persons

The Commission's review of the law governing the administration of estates of deceased persons was originally undertaken as part of its study of the law of trusts. Now a separate project, the study has involved the preparation of nine research papers and a number of Director's Research Reports containing recommendations for reform of the law. The objective

of the project is a new *Administration of Estates Act,* which would bring together and revise relevant portions of the *Trustee Act,* the *Estates Administration Act* (formerly *The Devolution of Estates Act)* and the provisions governing practice under the *Surrogate Courts Act* and Rules. The new Act would also codify and revise a number of common law doctrines that now govern estate administration.

During the last year, the final two Director's Research Reports were considered by the Commission, and virtually all policy issues have now been decided. In addition, work proceeded on the draft *Administration of Estates Act,* and the writing of the Commission's final Report was commenced.

The Project Director is Professor George W. Alexandrowicz of the Faculty of Law, Queen's University. In formulating its recommendations, the Commission has been fortunate to have had the assistance of an Advisory Committee of experts in estate administration, constituted under the chairmanship of Malcolm Archibald, Esq., Q.C.

(ii) The Hague Convention Concerning the International Administration of the Estates of Deceased Persons

Some years ago, the Commission undertook, as a separate project, a study of the question whether the Hague Convention Concerning the International Administration of the Estates of Deceased Persons should be given effect in Ontario. As the matter of the Hague Convention is closely related to the Commission's Project on Administration of Estates of Deceased Persons, the Convention was examined as part of that project, in the context of a general consideration of the estates of foreign decedents. The International Convention will be dealt with in the Commission's final *Report on the Administration of Estates of Deceased Persons.*

(iii) Basic Principles of Land Law

Once again, other commitments, in particular the Reference on Human Artificial Insemination and Related Matters, have prevented the Commission from resuming consideration of three working papers dealing with reform of the basic principles of land law. It is hoped to return to the important issues raised by the research papers as soon as time permits.

(iv) The Law of Mortgages

The Law of Mortgages Project has been conducted in three stages. The first stage involved consultation by the Project Director, Barry J. Reiter, Esq., with representatives of various groups interested in mortgage law, with a view to identifying issues requiring remedial legislation. During the second stage, nine research papers were prepared by a Research Team and considered by members of an Advisory Committee, constituted under the chairmanship of the Project Director and consisting of representatives of the legal profession, institutional lenders, and consumer groups. At the conclusion of the second stage, the Commission gave tentative approval to a Research Report prepared by the Project Director and

indicating general policies that might be adopted to resolve the difficulties that had been identified.

During the past year, work has proceeded on the third stage of the project. Ten research papers, containing detailed recommendations elaborating and refining the general directions for reform tentatively approved by the Commission in the second stage, were prepared. These papers were discussed extensively by members of the Research Team and by the Advisory Committee, and a Director's Research Report was prepared by the Project Director. The Commission expects to consider the Director's Research Report in April of the coming year. Thereafter, preparation of the Commission's final *Report on the Law of Mortgages* and accompanying draft legislation will commence.

(v) Time Sharing

The past year has witnessed steady progress in the Commission's Project on Time Sharing. The objective of this project, which was added to the Commission's programme in October, 1982, is to examine all aspects of the present law governing time sharing in Ontario and other jurisdictions, with a view to determining whether there is a need in Ontario for enabling and regulatory legislation.

The first stage of the project has now been completed. During this stage, a member of the internal legal staff prepared a comprehensive working paper, which includes a discussion of the following topics: the present law in Ontario and in other jurisdictions; problem areas in the law; and alternative proposals for reform.

Work has begun on the second stage of the project. During this stage, the proposals and materials produced during the first stage will be evaluated by an Advisory Committee, which will include members of the legal profession, government officials, and other knowledgeable, interested parties. Thereafter, the working paper, together with the views of the Advisory Committee, will be placed before the Commission for consideration. It is expected that, in the coming year, the second stage of the project will be completed and that work will commence on the preparation of the draft final Report.

Another matter that raises issues similar to those that arise in the context of time sharing has recently come to the Commission's attention. Under certain long term leases — for example, leases of vacation campsites or retirement housing — the rental for the full term of the lease is paid in advance. As in the case of time sharing, this raises potential problems of developer insolvency and of management and maintenance of the facilities. Accordingly, the Commission has decided to undertake a study of long term lease developments involving prepayment of the full rental. It has not been determined, however, whether to report separately on the topic, or to deal with it as part of our *Report on Time Sharing*.

(vi) Law of Contract Amendment

As indicated in previous Annual Reports, this project was divided into three Phases, Phase I being concerned with issues of contract formation, and Phases II and III with substantive and remedial issues. In all, some seventeen research papers have been prepared. The last of these research papers, dealing with misrepresentation and the doctrines of mistake and frustration, were discussed by the Commission during the past year, and work on the writing of the Commission's final Report has begun. It is hoped that substantial progress can be made in the writing of the final Report during the coming year, and that the Commission can begin preparing a draft *Law of Contract Amendment Act.*

The Commission continues to be ably assisted by the joint Project Directors, Professor Jacob S. Ziegel and Professor Stephen M. Waddams, both of the Faculty of Law, University of Toronto.

(vii) The Law of Standing

The Law of Standing Project is concerned with the question whether private individuals, who wish to initiate litigation in the public interest, should be granted increased access to the courts. During the early stages of the project, the Commission's internal legal staff prepared a background paper setting out the present law and isolating reform issues. Subsequently, a major research paper dealing with reform of the law of standing was prepared for the Commission by an external consultant, Andrew Roman, Esq. However, due to the necessity to give priority to References from the Minister, and a decision to complete projects that predated our study of the law of standing, work on the Law of Standing Project had to be deferred.

Fortunately, the Commission was able to reactivate this important project during the past year. Under the direction of Professor W. A. Bogart of the Faculty of Law, University of Windsor, further research was commissioned dealing with the following topics: the historical role of the Attorney General in criminal matters; the impact of the *Canadian Charter of Rights and Freedoms* on the law of standing; standing rules in constitutional litigation; developments in the law of standing in the United States and civil law jurisdictions; and procedural and costs rules in public interest litigation.

This additional research is now substantially complete and, together with other research completed during the course of the project, will be considered in the near future by members of the Research Team. Thereafter, the Project Director will prepare a Research Report for consideration by the Commission.

(viii) Contribution Among Wrongdoers

This project is directed by Professor John M. Evans, Associate Dean of Osgoode Hall Law School, York University. The project reviews the present law governing the allocation of responsibility between two or more

persons whose conduct has caused the same loss or damage, as well as the law relating to contributory negligence.

During the course of the project, nine research papers have been prepared and considered by the Commission, dealing with the following topics: joint and several liability; joint wrongdoers and the right of contribution; elements of the right to contribution; settlements and contribution claims; defences to the right of contribution; the assessment of contribution; procedural aspects of contribution claims; and contributory negligence. At present, the Commission's draft *Report on Contribution Among Wrongdoers* is being written. It is hoped that the Commission will be able to commence consideration of the final Report, and to begin preparing draft legislation to accompany the Report, in the summer of 1984.

(ix) Remedies for Wrongful Interference with Goods

The project involves a consideration of the following topics: the specific relief remedies of replevin and detinue; damage remedies, such as trespass, conversion, and interference with a reversionary interest; and recaption of chattels.

Under the direction of the joint Project Directors, Professor George R. Stewart of the Faculty of Law, University of Windsor, and Professor Ralph L. Simmonds, Associate Dean of the Faculty of Law, McGill University, background papers were prepared by the Research Team on these and other matters. An agenda of issues, including tentative proposals for reform, was drafted by the Project Directors after discussion with the Research Team. The agenda of issues and tentative proposals were subsequently considered by an Advisory Board appointed by the Commission.

The Project Directors then prepared for the Commission's consideration a Report containing their recommendations and explanatory text. The Commission has completed its review of the Project Directors' Report and has made all necessary policy decisions. Work will now begin on the preparation of the Commission's final Report.

FUTURE PROGRAMME

The Commission will continue to accord priority to completion of the Minister's Reference on Human Artificial Insemination and Related Matters. It is also hoped to complete our very important and topical study of the law of mortgages within the coming year. In addition, many other projects are at a stage where all policy decisions have been made and only the final Report and draft legislation remain to be prepared. Clearly, these tasks will challenge and occupy us for the foreseeable future.

As projects are completed, projects that have been deferred will be reactivated, and new topics will be considered for study. As indicated, the Commission is always open to suggestions concerning areas of the law that require reform.

GENERAL ACTIVITIES

As in past years, the Commission has welcomed the opportunity to discuss with members of the legal profession the process of law reform. We value communication with members of the practising Bar, and, indeed, gladly acknowledge our indebtedness for the advice and guidance that we have received. The Chairman was, therefore, pleased to speak of the work of the Commission at meetings of the following County and District Law Associations: the Dufferin County Law Association; the Elgin Law Association; the Thunder Bay Law Association; the Kent Law Association; the Peterborough Law Association; and the Peel County Law Association. So too, the Chairman addressed a meeting of the Trustees of the Hamilton Law Association. These meetings are important to the Commission, and we wish to thank the Officers of the Associations for the arrangements that were made to ensure their success.

The Chairman and Counsel, on behalf of the Commission, attended a meeting of the Canadian Law Reform Agencies at Quebec City in August, 1983. The meeting provided an opportunity to strengthen further the firm and solid relationship that we have long enjoyed with these Agencies.

Immediately following the meeting, the Chairman and Vice Chairman, as part of the Ontario delegation, attended the Sixty-Fifth Annual Meeting of the Uniform Law Conference of Canada, which was also held at Quebec City. In our last Annual Report, we referred to the Committee on Products Liability that was established by the Uniform Law Section of the Uniform Law Conference of Canada during its Sixty-Fourth Annual Meeting. This Committee, which is co-chaired by our Chairman, has completed its task and has submitted its Report. It is expected that the Report will be considered by the Uniform Law Section during its next Annual Meeting.

During the past year, the Chairman was pleased to represent the Commission on a number of occasions. These included addresses to the Rotary Club of Midland and the Northern Institute for Public Policy and Research on the function and purpose of the Commission, and an address to the Civil Law/Common Law Exchange Programme on "The Dynamics of Law Reform", at Dalhousie Law School. The Chairman was also privileged to participate in the People's Law Conference, where he spoke on the process and policy aspects of law reform, and was a commentator at the National Conference on Legal Research and Education in Canada, "Law and Learning". It was also a pleasure for the Chairman to address the John White Society, at Osgoode Hall Law School, and to have the opportunity to speak to students at the Markham District High School and the Ryerson Polytechnical Institute.

In the past year, the Chairman, W. R. Poole, Q.C., and Counsel visited the Faculty of Law of the University of Western Ontario. During this meeting, we were pleased to discuss with both the students and the Faculty the issue of law reform and the role of the Commission. We were warmly received by the Acting Dean, Professor D. Keith McNair, the

Dean-designate, Professor Wesley B. Rayner, members of the Faculty, and the student body.

In the year under review, the Canadian Bar Association — Ontario, Real Property Section, established a Special Committee on the *Execution Act*, a member of which is the Commission's Senior Legal Research Officer, M. A. Springman, Esq. The Special Committee is investigating the relationship between the conveyancing of land and execution against land under a writ of *fieri facias*, and the Commission's 1981 *Report on the Enforcement of Judgment Debts and Related Matters*, Part III, is a major focus of the investigation.

The Commission has been honoured to receive the Chairmen of two other Law Reform Agencies: Professor Clifford H. C. Edwards, Q.C., the Chairman of the Manitoba Law Reform Commission, who is no stranger to our Commission, and the Honourable Sir Ralph Gibson, Kt., the Chairman of the English Law Commission. We have long enjoyed a warm relationship with these two sister Commissions, and the visits enabled us to discuss issues of mutual interest.

ACKNOWLEDGMENTS

Attached to this Report are two Appendices relating to the activities of the Commission. Appendix A consists of a list of Reports prepared and submitted by the Commission since its inception in 1964, together with a table indicating the extent to which legislation concerning our proposals has been enacted.

Appendix B contains a list of the officers and permanent staff of the Commission. The Commission regrets the loss during the past year of two of its legal research staff. We acknowledge with gratitude our debt to Pamela M. Gibson and Eric Gertner, Legal Research Officers, for their contribution to the work of the Commission, and we wish them every success in the future. To those who have joined us during the year, we extend a sincere welcome: Marilyn R. Leitman and Judith A. Bellis, as members of the legal research staff; and Mrs. Mary Rose Betinvieh, as a member of the administrative staff. Our sincere thanks are extended to the Administrative Officer, Miss A. F. Chute, and to the administrative staff for their support and assistance during the past year.

May we also express our gratitude and thanks to you, Mr. Attorney, and to the officers of your Ministry, for the continuing interest, assistance and cooperation that we have been afforded.

All of which is respectfully submitted.

Derek Mendes da Costa
Chairman

H. Allan Leal
Vice Chairman

Richard A. Bell
Commissioner

William R. Poole
Commissioner

Barry A. Percival
Commissioner

March 30, 1984

APPENDIX A

REPORTS OF THE ONTARIO LAW REFORM COMMISSION

	Title	Date of Report	Original Legislation Concerning Commission Proposals
1.	Report No. 1 [The Rule Against Perpetuities]	February 1, 1965	*The Perpetuities Act, 1966*, S.O., 1966, c. 113
2.	Report No. 1A: The Perpetuities Act, 1965 [Supplementary Report on the Rule Against Perpetuities]	March 1, 1966	*do.*
3.	Report No. 2 [The Wages Act: Assignment of Wages]	March 3, 1965	*The Wages Amendment Act, 1968*, S.O. 1968, c. 142
4.	Report No. 3 on Personal Property Security Legislation	May 28, 1965	*The Personal Property Security Act, 1967*, S.O. 1967, c. 72
5.	Report No. 3A on Personal Property Security Legislation	May 18, 1966	*do.*
6.	Report on The Evidence Act: Admissibility of Business Records	February 16, 1966	*The Evidence Amendment Act, 1966*, S.O. 1966, c. 51, s. 1
7	Report on The Mechanics' Lien Act	February 22, 1966	*The Mechanics' Lien Act, 1968-69*, S.O. 1968-69, c. 65
8.	Supplementary Report on The Mechanics' Lien Act	May 26, 1967	*do.*
9.	Report on the Proposed Extension of Guarantor's Liability on Construction Bonds	May 30, 1966	See *The Mechanics' Lien Amendment Act, 1975*, S.O. 1975, c. 43 *The Ministry of Transportation and Communications Creditors Payment Act, 1975*, S.O. 1975, c. 44 *The Public Works Creditors Payment Repeal Act, 1975*, S.O. 1975, c. 45
10.	Report on The Execution Act: Exemption of Goods from Seizure	December 9, 1966	*The Execution Amendment Act, 1967*, S.O. 1967, c. 26

	Title	Date of Report	Original Legislation Concerning Commission Proposals
11.	Report on The Law of Condominium	March 6, 1967	*The Condominium Act, 1967*, S.O. 1967, c. 13
12.	Report on the Basis for Compensation on Expropriation	September 21, 1967	*The Expropriations Act, 1968-69*, S.O. 1968-69, c. 36
13.	Report on the Limitation Period for Actions under The Sandwich, Windsor and Amherstburg Railway Act, 1930	January 8, 1968	*The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1968*, S.O. 1968, c. 120
14.	Annual Report 1967	January 15, 1968	Not applicable
15.	Report on Certain Aspects of the Proposed Divorce Legislation Contained in Bill C-187	January 19, 1968	*Divorce Act*, S.C. 1967-68, c. 24, s. 26
16.	Report on the Proposed Adoption in Ontario of The Uniform Wills Act	February 5, 1968	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 See *The Registry Amendment Act, 1978*, S.O. 1978, c. 8, s. 1
17.	Report on The Protection of Privacy in Ontario	September 10, 1968	See *The Consumer Reporting Act, 1973*, S.O. 1973, c. 97
18.	Report on Section 183 of The Insurance Act	October 3, 1968	—
19.	Report on Trade Sale of New Houses	October 4, 1968	See *The Ontario New Home Warranties Plan Act, 1976*, S.O. 1976, c. 52
20.	Interim Report on Landlord and Tenant Law Applicable to Residential Tenancies	December 10, 1968	*The Landlord and Tenant Amendment Act, 1968-69*, S.O. 1968-69, c. 58
21.	Report on Limitation of Actions	February 3, 1969	See *The Highway Traffic Amendment Act (No. 2), 1975*, S.O. 1975, c. 37 *The Fatal Accidents Amendment Act, 1975*, S.O. 1975, c. 38 *The Trustee Amendment Act, 1975*, S.O. 1975, c. 39

	Title	Date of Report	Original Legislation Concerning Commission Proposals
22.	Annual Report 1968	April 7, 1969	Not applicable
23.	Report on the Age of Majority and Related Matters	June 3, 1969	*The Age of Majority and Accountability Act, 1971*, S.O. 1971, c. 98
24.	Report on the Status of Adopted Children	June 3, 1969	*The Child Welfare Amendment Act, 1970*, S.O. 1970. c. 96, s. 23
25.	Report on Family Law, Part I: Torts	November 4, 1969	*The Family Law Reform Act, 1978*, S.O. 1978, c. 2 (partial implementation)
26.	Report on Section 20 of The Mortgages Act	March 12, 1970	*The Mortgages Amendment Act, 1970*, S.O. 1970, c. 54, s. 1
27.	Report on Family Law, Part II: Marriage	April 6, 1970	*The Civil Rights Statute Law Amendment Act, 1971*, S.O. 1971, c. 50, s. 55 (partial implementation) *The Marriage Act, 1977*, S.O. 1977, c. 42
28.	Annual Report 1969	April 20, 1970	Not applicable
29.	Report on Actions Against Representatives of Deceased Persons	November 30, 1970	*The Trustee Amendment Act, 1971*, S.O. 1971, c. 32, s. 2
30.	Report on the Coroner System in Ontario	January 25, 1971	*The Coroners Act, 1972*, S.O. 1972, c. 98
31.	Report on Sunday Observance Legislation	February 26, 1971	*The Retail Business Holidays Act, 1975*, S.O. 1975 (2nd Session), c. 9
32.	Report on Land Registration	March 23, 1971	See *The Corporations Tax Amendment Act (No. 2), 1979*, S.O. 1979, c. 89
33.	Annual Report 1970	March 31, 1971	Not applicable
34.	Report on The Change of Name Act	May 31, 1971	*The Change of Name Amendment Act, 1972*, S.O. 1972, c. 44
35.	Report on The Mortgages Act, Section 16	June 18, 1971	—
36.	Report on Development Control	September 28, 1971	*The Planning Amendment Act, 1973*, S.O. 1973, c. 168, s. 10

	Title	Date of Report	Original Legislation Concerning Commission Proposals
37.	Report on Powers of Attorney	January 11, 1972	*The Powers of Attorney Act, 1979*, S.O. 1979, c. 107 *Powers of Attorney Amendment Act, 1983*, S.O. 1983, c. 74 *Mental Health Amendment Act, 1983*, S.O. 1983, c. 75
38.	Report on Occupiers' Liability	January 11, 1972	*The Occupiers' Liability Act, 1980*, S.O. 1980, c. 14
39.	Report on Consumer Warranties and Guarantees in the Sale of Goods	March 31, 1972	—
40.	Report on Review of Part IV of The Landlord and Tenant Act	March 31, 1972	*The Landlord and Tenant Amendment Act, 1972*, S.O. 1972, c. 123
41.	Annual Report 1971	March 31, 1972	Not applicable
42.	Report on the Non-Possessory Repairman's Lien	October 4, 1972	—
43.	Report on the Administration of Ontario Courts, Part I	February 26, 1973	See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31 *The Judicature Amendment Act (No. 2), 1977*, S.O. 1977, c. 51, s. 9
44.	Annual Report 1972	March 31, 1973	Not applicable
45.	Report on the Administration of Ontario Courts, Part II	May 23, 1973	See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31
46.	Report on Family Law, Part III: Children	September 25, 1973	*The Child Welfare Amendment Act, 1975*, S.O. 1975, c. 1 (partial implementation) *The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation)

	Title	Date of Report	Original Legislation Concerning Commission Proposals
			The Children's Law Reform Act, 1977, S.O. 1977, c. 41 (partial implementation)
			See *Children's Law Reform Amendment Act, 1982*, S.O. 1982, c. 20
47.	Report on The Solicitors Act	September 28, 1973	—
48.	Report on Motor Vehicle Accident Compensation	November 6, 1973	—
49.	Report on the Administration of Ontario Courts, Part III	December 17, 1973	*The Judicature Amendment Act, 1975*, S.O. 1975, c. 30 (partial implementation)
			See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31
			The Small Claims Courts Amendment Act, 1977, S.O. 1977, c. 52 (partial implementation)
50.	Report on Family Law, Part IV: Family Property Law	February 8, 1974	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation)
			The Family Law Reform Act, 1978, S.O. 1978, c. 2 (partial implementation)
			See *The Land Titles Amendment Act, 1978*, S.O. 1978, c. 7
			The Registry Amendment Act, 1978, S.O. 1978, c. 8.
51.	Report on Family Law, Part V: Family Courts	February 8, 1974	See *The Unified Family Court Act, 1976*, S.O. 1976, c. 85
			The Children's Probation Act, 1978, S.O. 1978, c. 41 (partial implementation)

	Title	Date of Report	Original Legislation Concerning Commission Proposals
52.	Annual Report 1973	May 6, 1974	Not applicable
53.	Report on the International Convention Providing a Uniform Law on the Form of the International Will	July 3, 1974	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40, s. 42
54.	Annual Report 1974	March 31, 1975	Not applicable
55.	Report on Family Law, Part VI: Support Obligations	April 18, 1975	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation) *The Family Law Reform Act, 1978*, S.O. 1978, c. 2
56.	Report on Mortmain, Charitable Uses and Religious Institutions	February 27, 1976	*The Religious Organizations' Lands Act, 1979*, S.O. 1979, c. 45 *The Anglican Church of Canada Act, 1979*, S.O. 1979, c. 46 *The Registry Amendment Act, 1979*, S.O. 1979, c. 94, s. 17 *Charities Accounting Amendment Act, 1982*, S.O. 1982, c. 11 *Mortmain and Charitable Uses Repeal Act, 1982*, S.O. 1982, c. 12, s. 1(1)
57.	Report on Landlord and Tenant Law	March 15, 1976	*The Residential Tenancies Act, 1979*, S.O. 1979, c. 78 (partial implementation)
58.	Report on the Law of Evidence	March 29, 1976	—
59.	Annual Report 1975	March 31, 1976	Not applicable
60.	Report on Changes of Name	August 16, 1976	*The Vital Statistics Amendment Act, 1978*, S.O. 1978, c. 81, s. 1 (partial implementation)
61.	Report on the Impact of Divorce on Existing Wills	February 28, 1977	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40, s. 17(2)
62.	Annual Report 1976	March 31, 1977	Not applicable

	Title	Date of Report	Original Legislation Concerning Commission Proposals
63.	Annual Report 1977	March 31, 1978	Not applicable
64.	Report on Sale of Goods	March 30, 1979	—
65.	Annual Report 1978	March 30, 1979	Not applicable
66.	Report on Products Liability	November 16, 1979	—
67.	Annual Report 1979	March 31, 1980	Not applicable
68.	Report on the Enforcement of Judgment Debts and Related Matters, Part I	February 20, 1981	—
69.	Report on the Enforcement of Judgment Debts and Related Matters, Part II	March 31, 1981	*Wages Amendment Act, 1983*, S.O. 1983, c. 68 (partial implementation)
70.	Report on the Enforcement of Judgment Debts and Related Matters, Part III	March 31, 1981	—
71.	Annual Report 1980-81	March 31, 1981	Not applicable
72.	Report on Witnesses Before Legislative Committees	September 11, 1981	—
73.	Report on Class Actions	March 31, 1982	—
74.	Annual Report 1981-82	March 31, 1982	Not applicable
75.	Report on the Enforcement of Judgment Debts and Related Matters, Part IV	March 31, 1983	—
76.	Report on the Enforcement of Judgment Debts and Related Matters, Part V	March 31, 1983	—
77.	Report on Powers of Entry	March 31, 1983	—
78.	Annual Report 1982-83	March 31, 1983	Not applicable
79.	Report on the Law of Trusts	March 30, 1984	—

Many of the Commission's earlier reports are no longer in print. Those that are still in print may be ordered from Publications Services, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, Ontario, Canada M7A 1N8. Telephone 965-6015. Toll free long distance 1-800-268-7540; in area code 807, 0-Zenith 67200.

APPENDIX B

OFFICERS AND PERMANENT STAFF
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